

February 21, 2006

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-B204
Washington, D. C. 20554

Re: WT Docket No. 05-211 -
Commercial Spectrum Enhancement Act and
Modernization of the Commission's Competitive
Bidding Rules and Procedures

Comments Submission by:
ComScape Telecommunications, Inc.

Dear Ms. Dortch:

ComScape Telecommunications, Inc. ("ComScape") would like to respectfully submit a support for the modifications to the Designated Entity ("DE") Program, outlined in the Further Notice of Proposed Rulemaking in the above referenced docket, FCC 06-8 (adopted on January 27, 2006 and released on February 3, 2006) ("NPRM").

ComScape is a regional wireless carrier with eight PCS wireless licenses in three states with approximately 3 Million licensed populations. Currently we are marketing in North-Carolina, albeit facing fierce competition from the Big-5 national carriers with all their might.

The increased concentration in the wireless industry resulting from recent consolidation has had the unfortunate effect of significantly disadvantaging smaller carriers like ComScape. This concentration of marketing power also discourages new entrants. In order to overcome the built-in disadvantage for new entrants, access to new spectrum to small carriers is essential.

The largest national wireless carriers already control the overwhelming share of CMRS spectrum in the United States and thus, should not be allowed to enter into "material relationships" with Designated Entities (DEs) to receive the benefit of bidding credits in the upcoming FCC spectrum auctions. DEs should be permitted to look to non-controlling investors for funding and industry experience, but allowing the nation's largest national wireless carriers to serve in those roles only serves to increase their already overwhelming influence.

ComScape therefore asks the Commission to adopt the modifications to the DE program announced in the NPRM and ensure that smaller wireless carriers and new entrants are given a real chance of winning spectrum in the upcoming Advanced Wireless Service auction, and other future auctions, through meaningful bidding credits. As the Commission itself long ago recognized, smaller carriers and new entrants simply do not have the wherewithal to successfully win spectrum licenses, the industry's lifeblood, in the face of national wireless carrier's intent on further consolidating their positions.

The Commission should not, however, adopt measures to limit potential DE sources of capital -- including other entities with "significant interest in communications services." It is important that DEs have full access to capital and industry contacts in order to compete effectively with the dominant incumbent national wireless carriers. The Commission should not shut off sources of capital and experience where the dominant national incumbent wireless carriers are not involved.

Adoption of the tentative conclusions outlined in the NPRM will help promote competition and ensure diversity of ownership in the wireless industry, benefiting carriers and consumers alike.

Thank you.

Respectfully Submitted,

Ghanshyam C. Patel
Chairman and CEO